

MINUTES

The June 15, 2009 meeting of the Planning Board of the Township of Chatham was called to order by Chairperson Joel Jacobson at approximately 7:30 p.m. The Open Public Meetings Act Statement was read into the record. The agenda for the meeting included discussion of Sustainable Jersey, proposed Ordinance 2009-10, the Nadquada Resolution and the Public Hearing for the Walkway/Bikeway Plan.

Roll Call

Board members present included Mr. Jacobson, Mr. Brower, Mr. Browne, Mrs. Chambers, Mr. Ciccarone, Mr. Cohn, Ms. Hagner, Mr. Hurring and Mr. Sullivan. Board professionals present included Bill Robertson, Planning Board attorney, Frank Banisch, Planning Board planner and Angela Clerico, an associate of Mr. Banisch.

Minutes

Mr. Hurring moved to approve the minutes from the May 4, 2009 meeting and Mr. Cohn seconded, with all in favor except for Mr. Ciccarone, who abstained.

Ordinance 2009-10

Mr. Jacobson stated Ordinance 2009-10, pertaining to the regulation of Riparian Zones, was referred to the Planning Board for comments. Mr. Robertson reviewed the ordinance and stated it appeared that it was drafted in order to comply with the waste water management plans. Mr. Robertson stated it sets certain buffers in Riparian Zones. It also sets a procedure for the approval of the identified

areas. Mr. Robertson stated that there appeared to be some exceptions, which would involve the Planning Board, and the Board can grant an exception to that disturbance upon proof that the disturbance protects public health, safety or welfare or provides an environmental benefit. Mr. Ciccarone elaborated and stated it mirrors the state regulations and provides an additional level of enforcement.

Mr. Jacobson confirmed that the Planning Board was able to comment and asked if Board members had any comments; there were none.

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Sustainable Jersey

Mr. Jacobson stated that Mr. Caprioglio is the Planning Board liaison to the Sustainable Jersey project. In his absence, Mr. Robertson explained the requirements of the Planning Board.

Mr. Robertson said his interpretation of what is being requested from the Planning Board is someone to modify and adapt a model sustainable land use pledge resolution. Mr. Robertson stated a model was in the Board's packet.

The modified pledge would be forwarded on to the Township Committee for adoption. That concludes the involvement of the Planning Board. The pledge resolution is a necessary step towards certification of the Township being named a sustainable town. Action must be completed by September 9, 2009, and therefore, to the Township Committee by August.

Mr. Ciccarone indicated two areas of concern. Mr. Ciccarone referred to the paragraph discussing housing variety and stated that a decision was made to not use zoning as a means of addressing the Township's obligation for COAH and he felt that this paragraph was inconsistent with the submitted Affordable Housing Plan. Similarly, under the "Mix of Uses" heading, Mr. Ciccarone did not feel a mix of compatible land uses was appropriate for Chatham Township.

Ms. Clerico stated that being certified would open the door to access to professional expertise from Sustainable Jersey and potential funding in the future.

After discussion, it was decided that the Planning Board would share comments, incorporate them and submit them in letter form to the Township Committee. Mr. Jacobson stated he would draft a letter that would indicate the Board supports the pledge, but have caveats and that letter will be circulated. The subcommittee, known as the “Green Team”, will be comprised of Mr. Caprioglio and interested volunteers who would dialog with the Township Committee.

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Nadquada Resolution

Mr. Jacobson stated the Nadquada Application was approved May 4, 2009 subject to the memorializing Resolution. Mr. Robertson reviewed the Resolution for the property located at 296 Lafayette Avenue. The Application requested an amendment for a condition and a variance to construct a deck.

Following review and discussion, Mr. Brower moved to approve the Resolution and Ms. Hagner seconded, with all in favor except for Mr. Browne and Mr. Ciccarone, who abstained.

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Walkway/Bikeway Plan

Mr. Banisch stated the Board had received a draft of the Walkway/Bikeway Plan. Modifications have been made to the plan. Mr. Banisch stated the plan has been formatted to include a long range plan, which the Planning Board will adopt, and an action/implementation plan which will be reviewed by the Open Space Committee and forwarded to the Township administration and governing body.

Ms. Clerico presented a slide show about the plan. Ms. Clerico stated the 1999 Walkway/Bikeway Plan was updated to prepare the current plan. The comments from the website were included in the development of this plan.

Ms. Clerico described the goals and objectives of the updated Plan were to build on the foundation from 1999; encourage connectivity throughout the Township and neighboring communities; decrease traffic and emissions; promote bicycling and walking; promote use of a variety of easements; promote the construction of sidewalks near schools and high speed roads; and safety education.

Ms. Clerico indicated that signage (traffic calming and awareness) and crosswalks were referred to in the plan as tools working towards the goals of the plan. Medians and refuge islands were also to be considered.

Ms. Clerico referred to five project areas that include the Green Village Road area, the Loantaka Brook Reservation, Lafayette vicinity, east-west connectors and utility easements. The project areas are reviewed and recommendations are made for improvements. The Swamp route bike loop is modeled after one designated by the New Jersey Department of Transportation.

Ms. Clerico explained the interactive Public Participatory GIS (PPGIS) website that was used to glean information from the public during the development process of the Bikeway/Walkway Plan. Public comments and photos were posted on the website about the plan.

Mr. Banisch summarized the presentation and said that the revised text makes it clear that trails along utility easements on private property would not be pursued without express permission from the homeowner and the utility.

Mr. Brower asked about the easements affecting home values and discussion ensued. Mr. Cohn asked about the implementation plan; Mr. Banisch stated the Board would not vote on the implementation plan at the time of the vote on the Bikeway/Walkway Plan. Mr. Browne expressed

concern about county roads being suitable for cycling. Following discussion, Mr. Jacobson opened the hearing to the public for questions.

Mr. Tom Bondurich of Long Hill Lane asked if a list had been compiled that would indicate how many people would be affected if the plan to use the utility easements was put into play. Mr. Bondurich stated the property owners could be notified of the meetings and asked for their opinion on the subject; Mr. Banisch stated there was no list.

Mr. Bondurich stated he suggested an alternate route to access Town Hall that would eliminate the need to use private property and wondered if that had been considered; Mr. Banisch stated it was looked at and seems like an easy connection but wasn't sure it was an either/or proposition. Linda Pitney of Mountainview Road asked about liability for injuries that occur on a bikeway that is on private property; Mr. Jacobson stated that there were no bikeways on private property to date.

Mr. Ciccarone stated that he and Mr. Ruschke were charged to review the condition of existing sidewalks in need of repair, with a priority on safe routes to schools.

Mr. Jacobson suggested the comments be absorbed and asked Mr. Banisch to distribute a red line version to the Board. Mr. Jacobson stated the hearing would be continued to July 20, 2009.

Mr. Jacobson thanked Mrs. Chambers and Ms. Hagner for their superb job on this project.

Executive Session

Mr. Ciccarone moved to go into Executive Session to discuss matters of litigation and Ms. Hagner seconded. Following Executive Session, the Planning Board reconvened to adjourn the June 15, 2009 work meeting.

Respectfully submitted,

Katherine T. Hollerith
Recording Secretary

